

FORM PTO-1390 (Modified)
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

110.003.0101

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/647475

INTERNATIONAL APPLICATION NO.
PCT/US99/21581INTERNATIONAL FILING DATE
17 September 1999PRIORITY DATE CLAIMED
17 September 1998

TITLE OF INVENTION

COMPOSITE DEVICES INCORPORATING BIOLOGICAL MATERIAL AND METHODS

APPLICANT(S) FOR DO/EO/US

LYNGBERG, Olav K. et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☐ Other items or information:

Non-Profit Organization Form claiming small entity (1 pg.); check in the amount of \$824.00 for filing fee; Preliminary Amendment (1 pg.); copy of Request Form (4 pgs.).

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492 (a) (1) - (5)) 09/647475	INTERNATIONAL APPLICATION NO. PCT/US99/21581	ATTORNEY'S DOCKET NUMBER 110.00810101
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21k The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO **\$970.00**
- ☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO **\$840.00**
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$690.00**
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$670.00**
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) **\$96.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$840.00Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).**\$130.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	49 - 20 =	29	x \$18.00
Independent claims	5 - 3 =	2	x \$78.00

\$522.00**\$156.00**Multiple Dependent Claims (check if applicable). ☐**\$0.00****TOTAL OF ABOVE CALCULATIONS =****\$1,648.00**Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). ☒**\$824.00****SUBTOTAL =****\$824.00**Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).**\$0.00****TOTAL NATIONAL FEE =****\$824.00**Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐**\$0.00****TOTAL FEES ENCLOSED =****\$824.00**

Amount to be: refunded	\$
charged	\$

☒ A check in the amount of **\$824.00** to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.

A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **13-4895** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Ann M. Mueting
Mueting, Raasch & Gebhardt, P.A.
P.O. Box 581415
Minneapolis, Minnesota 55458-1415
United States of America

SIGNATURE

Ann M. Mueting

NAME

33,977

REGISTRATION NUMBER

DATE

Applicant(s): Olav K. Lyngberg et al.

Docket No.: 110.00810101

Title: COMPOSITE DEVICES INCORPORATING BIOLOGICAL MATERIAL AND METHODS

Assistant Commissioner for Patents

ATTN: Box PCT

Washington, D.C. 20231

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

- ☐ A signed Declaration and Power of Attorney
☒ Verified Statement claiming small entity (Non-Profit Organization) is enclosed herewith (1 pg.).
☐ An Assignment of the invention to and Recordation Form Cover Sheet
☐ An Information Disclosure Statement; 1449 Form; and copies of cited documents.
☒ A return postcard.
☒ A check in the amount of \$824.00 to cover application filing fee and recordation fee.
☒ Other: Transmittal Letter to the DO/EO/US (2 pgs.); copy of Request Form (5 pgs.); copy of International Search Report (7 pgs.); copy of PCT/IB/308 (1 pg.); Preliminary Amendment (1 pg.)

APPLICATION FILING FEE					
	Number of Claims Filed (1)	Claims Included in Basic Filing Fee (2)	Number of Extra Claims (1-2)	Cost per Extra Claim	Fee Required
Total Claims	49	20	29	x \$18 =	\$522.00
Independent Claims	5	3	2	x \$78 =	\$156.00
One or More Multiple Dependent Claims Presented? If Yes, Enter \$130 Here →					0
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO Here →					\$840.00
Reduction of ½ for filing by small entity.					\$1,648.00
Total Application Filing Fee					\$824.00

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH & GEBHARDT, P.A.
P.O. Box 581415, Minneapolis, MN 55458 (612-305-1220)

By: Ann M. Mueeting
Name: Ann M. Mueeting
Reg. No.: 33,977
Direct Dial: 612-305-1217

CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EL542402193USDate of Deposit: September, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231.

By: Jill R. Price
Name: Jill R. Price

(SMALL ENTITY TRANSMITTAL UNDER RULE 1.10)